



# RULE-MAKING ORDER

**CR-103 (June 2004)**  
(Implements RCW 34.05.360)

**Agency:** Department of Financial Institutions

☒ **Permanent Rule**  
☐ **Emergency Rule**

**Effective date of rule:**

**Permanent Rules**

- ☐ 31 days after filing.  
☒ Other (specify) January 1, 2007 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Effective date of rule:**

**Emergency Rules**

- ☐ Immediately upon filing.  
☐ Later (specify) \_\_\_\_\_

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

☐ Yes ☒ No If Yes, explain:

**Purpose:** The proposed rules repeal the existing rules in their entirety. The proposed rules implement Engrossed House Bill 2340 (chapter 19, Laws of 2006).

**Citation of existing rules affected by this order:**

Repealed: See attached  
Amended: N/A  
Suspended: N/A

**Statutory authority for adoption:** RCW 43.320.040; 19.146.223; chapter 19, Laws of 2006

**Other authority :** N/A

**PERMANENT RULE ONLY (Including Expedited Rule Making)**

Adopted under notice filed as WSR 06-18-067 on October 4, 2006.

Describe any changes other than editing from proposed to adopted version: None.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: \_\_\_\_\_ phone ( ) \_\_\_\_\_  
Address: \_\_\_\_\_ fax ( ) \_\_\_\_\_  
e-mail \_\_\_\_\_

**EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:

- ☐ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.  
☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

**Date adopted:** November 21, 2006

**NAME (TYPE OR PRINT)** Deborah Bortner

**SIGNATURE**

**TITLE** Acting Director, Division of Consumer Services

**CODE REVISER USE ONLY**

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	0	Amended	0	Repealed	0
<b>Federal rules or standards:</b>	New	0	Amended	0	Repealed	0
<b>Recently enacted state statutes:</b>	New	31	Amended	0	Repealed	13

**The number of sections adopted at the request of a nongovernmental entity:**

New	0	Amended	0	Repealed	0
-----	---	---------	---	----------	---

**The number of sections adopted in the agency's own initiative:**

New	0	Amended	0	Repealed	0
-----	---	---------	---	----------	---

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	31	Amended		Repealed	13
-----	----	---------	--	----------	----

**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	31	Amended	0	Repealed	13
<b>Pilot rule making:</b>	New	0	Amended	0	Repealed	0
<b>Other alternative rule making:</b>	New	0	Amended	0	Repealed	0

## Attachment to CR-103

### Citation of existing rules affected by this order:

Repealed: The following rules are repealed in their entirety:

WAC 208-660-010	Definitions.
WAC 208-660-020	Statutory exemptions.
WAC 208-660-025	Computer loan information services and systems.
WAC 208-660-030	Application procedure for mortgage broker license.
WAC 208-660-035	Interim licenses.
WAC 208-660-040	Experience requirements.
WAC 208-660-042	Continuing education requirement.
WAC 208-660-045	Approval of courses and examinations.
WAC 208-660-050	Demand for criminal history information.
WAC 208-660-060	Department's fees and assessments.
WAC 208-660-061	Fee increase.
WAC 208-660-062	Waiver of fees.
WAC 208-660-070	Branch office application procedure.
WAC 208-660-080	Surety bond and approved alternatives--General requirements.
WAC 208-660-08005	Alternatives to the surety bond.
WAC 208-660-08010	Establishment of trust account for borrower funds to pay third-party providers.
WAC 208-660-08015	Designation of trust account(s).
WAC 208-660-08020	Required trust account records and procedures.
WAC 208-660-08025	Trust account deposit requirements.
WAC 208-660-08030	Trust account disbursement requirements.
WAC 208-660-08032	Approved methods of disbursement to and from trust accounts.
WAC 208-660-08035	Computerized accounting system requirements.
WAC 208-660-08040	Automated check writing systems.
WAC 208-660-085	Alternatives to the surety bond.
WAC 208-660-090	License standards for applicants

WAC 208-660-09005	licensed in other jurisdictions. Registered agent and agent's office.
WAC 208-660-09010	Change of registered agent or agent's office.
WAC 208-660-09015	Resignation of registered agent.
WAC 208-660-09020	Service on licensee.
WAC 208-660-100	License standards for associations.
WAC 208-660-110	Transfers by, or changes in principal or designated broker of, a licensee.
WAC 208-660-120	Employees and independent contractors of licensees.
WAC 208-660-125	Recordkeeping and other requirements for advertising materials.
WAC 208-660-130	Disclosure required to borrower.
WAC 208-660-140	General recordkeeping requirements.
WAC 208-660-145	Forwarding appraisal, title report and credit report.
WAC 208-660-150	Disclosure of significant developments.
WAC 208-660-160	License application denial or condition; license suspension or revocation.
WAC 208-660-165	Fines and penalties for violation of the Mortgage Broker Practices Act.
WAC 208-660-170	Transitional rule.
WAC 208-660-190	Prohibited practices--Improperly influencing appraisals.
WAC 208-660-200	Mortgage broker fees allowed.
WAC 208-660-210	Mortgage brokerage commission.